

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED
AUG 17 2010
CLERK

UNITED STATES OF AMERICA,

CR08-40173

Plaintiff,

Vs.

THOMAS R. KELLEY,

Defendant.

**DECLARATION OF STATE OF ARREST
MOTION FOR JUDGMENT
OF DISMISSAL JURY VERDICT
NOT WITH STANDING**

Comes now Thomas R. Kelley, one of the sovereign powers on the land at 24883 Highway 81, near Salem, South Dakota, and one of the Republics in the United States of America, the represented accused here in this case, and require an order for Judgment of Dismissal - Jury Verdict Not With Standing, or an order for a new trial that will include the full Declaration of the claim, with all the laws applied in this case, with all of the clear and precise Territorial Application of the law, or order a Mistrial and Dismissal of all claims, all on grounds that the Jury was not fully informed of all of the required facts and was not instructed in the full law of the case, the proper and full Territorial Application of the laws used in prosecution and in trial; thereby the instructions were incomplete, improper, prejudicial, injurious, and caused mistrial and a state of void and a state in arrest.

The **MEMORANDUM IN SUPPORT OF DECLARATION OF STATE OF ARREST** is fully referenced and incorporated here.

Dated this 16 day of August 2010.

Thomas R. Kelley
Thomas R. Kelley

C/o 24883 Highway 81 Salem, South Dakota 57058

CERTIFICATE OF MAILING

This is to certify that original is filed with the Clerk, for the record, and a true and correct copy of **DECLARATION OF STATE OF ARREST MOTION FOR JUDGMENT OF DISMISSAL JURY VERDICT NOT WITH STANDING and ORDER OF DISCHARGE OF ATTORNEY AND VOLUNTARY FILING OF DECLARATION AND MOTION** is sent by first class mail, postage prepaid, to:

Assistant US Attorney
US Attorney Office
PO Box 2638
Sioux Falls, SD 57101-2638

Attorney Clint Sargent
MEIERHENRY SARGENT LLP
315 South Phillips Ave.
Sioux Falls, SD 57104

on this 16 day of August 2010.

Thomas R. Kelley